

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION
OCTOBER 5, 2004**

The regular session of the Auburn City Planning Commission was called to order on October 5, 2004 at 6:30 p.m. by Chairman Nesbitt in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Hale, McCord, Smith, Chrm. Nesbitt

COMMISSIONERS ABSENT: Snyder

STAFF PRESENT: Will Wong, Community Development Director; James Michaels, Assistant Planner; Gilda Lathuras, Office Assistant

ITEM I: CALL TO ORDER

ITEM II: PLEDGE OF ALLEGIANCE

ITEM III: APPROVAL OF MINUTES

The minutes of August 17, 2004 were approved as submitted.

ITEM IV: PUBLIC COMMENT

None.

ITEM V: PUBLIC HEARING ITEMS

- A. **Tentative Subdivision Map Extension and Tree Permit – 143 Borland Avenue (Canyon Ridge Lane Subdivision) – File SUB EXT 02-1(A); TP 04-12.** The applicant requests approval of an extension of a previously approved tentative subdivision map for seven (7) lots, including six single-family residential lots and one industrial lot. The Tree Permit is also requested for the removal of protected trees associated with the construction of subdivision

improvements. *THIS ITEM WAS CONTINUED FROM THE PLANNING COMMISSION MEETING OF SEPTEMBER 21, 2004.*

James Michaels gave the staff report. On August 6, 2002 the Planning Commission approved the Canyon Ridge Lane subdivision. The applicant is requesting approval of a one-year time extension for the subdivision. Both Fire and Public Works Departments have reviewed the time extension request and are recommending no changes to their previously approved conditions since there are no changes to the project. Time extensions for discretionary projects are subject to compliance with the Tree Ordinance and a tree permit is required for this project.

The public hearing was opened.

Richard Fong, applicant, stated that he was ready to move on the project and felt sure that the one year extension would be more than adequate.

The public hearing was closed.

There was a short discussion.

Comm. McCord **MOVED** to:

- A. Find the one-year extension of time request to be consistent with the previously adopted Mitigated Negative Declaration;
- B. Approve the tentative subdivision map extension – Canyon Ridge Lane Subdivision - subject to the conditions listed in Exhibit “A”;
- C. Adopt the following findings of fact for the Tree Permit:
 - 1. Approval of the tree permit will not be detrimental to the public health, safety, or welfare;
 - 2. Approval of the tree permit is consistent with the provisions of this chapter; and
 - 3. Measures have been incorporated in the project or the permit to mitigate impacts to remaining trees or to provide replacement for trees removed.

- D. Approve the Tree Permit for the project subject to the conditions listed in Exhibit "A" of the staff report.

Comm. Hale **SECONDED**.

AYES: Hale, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: Snyder

The motion was approved.

The Chairman announced the 10-day appeal period.

B. Tentative Parcel Map – 183 Reamer Street (Sands Lot Split) –File LS 04-2; VA 04-5. The applicant requests approval of a tentative parcel map to subdivide a 7,500 square foot parcel into two lots, 3,375 and 4,125 square feet respectively. The request also includes a variance to deviate from zoning development standards (i.e. minimum lot size, building density).

Comm. McCord stated that because of a conflict she would not participate in this item.

James Michaels gave the staff report. He stated that the site includes an existing single-family residence and a triplex, both of which have existed since the 1940's. The request has been reviewed for conformance with the City of Auburn Municipal Code and the Subdivision Map Act. The Public Works and Fire Departments reviewed the request and determined that all existing utilities and road improvements comply with City requirements. The single-family residence and apartment house are nonconforming and since the subdivision action would create a more nonconforming situation, approval of a variance is required. Staff supports the variance request.

The public hearing was opened.

Ken Sands, applicant, gave additional information.

The public hearing was closed.

Comm. Hale stated she saw no reason not to allow this lot split.

Comm. Hale **MOVED** to:

- A. Adopt the Negative Declaration prepared for Sands Lot Split – 183 Reamer Street;
- B. Adopt the following findings of fact for the Variance associated with the tentative parcel map;
 - 1. That the granting of the variance is not inconsistent with the limitations upon other properties in the vicinity and the OB/R-3 zone district in which the subject property is situated;
 - 2. That because of special circumstances applicable to the subject property, including location and surroundings, the strict application of the provisions of this chapter is found to deprive the subject property of privileges enjoyed by other properties in the vicinity in the same zone district.
- C. Approve the Variance request associated with the tentative parcel map subject to the conditions listed in Exhibit “A” of the staff report;
- D. Approve Sands Lot Split subject to the conditions listed in Exhibit “A” of the staff report.

Comm. Smith **SECONDED**.

AYES: Hale, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: McCord
ABSENT: Snyder

The motion was approved and the 10-day appeal period was announced.

- C. **Use Permit – Outlook at Indian Hills Subdivision (Cobblestone Homes Sales Trailer) – File UP 04-5.** The applicant requests approval of a Use Permit to place a 12’x 56’ temporary sales trailer on Lot #2 of the Outlook at Indian Hills subdivision.

James Michaels gave the staff report. He advised that in November, 2002, the City Council approved the Auburn Properties subdivision (now called the Outlook at Indian Hills) which consists of seventy (70) single-family residential lots. The applicant is proposing a temporary sales trailer to be located on Lot #2. He described the parking and landscaping to be provided. The trailer is required to be removed if a model home is built on that lot or prior to the issuance of a building permit for a dwelling on Lot #2.

Chrm. Nesbitt noted for the record that as he lives in Vintage Oaks, adjacent to this proposed subdivision, he has asked the City Attorney if his involvement in the Vintage Oaks Homeowners Association would be a conflict. He was advised that his personal residence would be the only possible conflict and that is approximately 4,000 ft. from this project so there is no conflict for him.

Robert Belajic, resident of the adjacent subdivision "The Ridge at Vintage Oaks" which is part of the Vintage Oaks Subdivision, stated his concern. The proposed subdivision is large with its own entrance from Auburn Folsom Road, and by placing the sales trailer on Lot #2 as proposed, they would encourage traffic to come through the only entrance/egress of the Vintage Oaks/The Ridge Subdivision. He felt that as the sales trailer could conceivably be at that location for many months because of the number of lots proposed, he would ask that the trailer be placed in a location closer to the entrance to the new subdivision, thus reducing the impact to the existing residents.

Walt Wismar, resident of Vintage Oaks Subdivision, agreed with the previous speaker and objected to the project for the same reasons, mainly negative impact to his subdivision.

Matt Watson, Cobblestone Homes, stated their objective is to keep the sales trailer as visually unobtrusive as possible. He stated that their monument sign will be at the main entrance to his subdivision off Auburn Folsom Road, and this is where they intend for traffic to enter and exit the subdivision to the sales trailer. The reason for preferring the sales trailer to be located on Lot #2 is so that people would drive through the subdivision, and also because of the view from Lot #2.

There was discussion of possible options.

Robert Belajic returned to note that he also had concerns about flags and advertising in his adjoining subdivision.

The public hearing was closed.

Comm. Smith stated he had concerns about the proposed location of the sales trailer, and felt that the sales office should be relocated to a lot just off of Auburn Folsom Road for convenience of the public. He did not feel he could approve the project at the proposed location.

Chrm. Nesbitt stated that the Commissioners tried to accommodate a developer as much as possible, however when current residents are affected he felt the developer should show a neighborly approach to their concerns with a compromise. He believed this could be accomplished by moving the sales trailer to lot #5 or lot #8 where there would still be a view but not impacting the current residents quite so much. He also suggested that it be visible from Auburn Folsom Road, that there be adequate signage and that the streets are paved.

Chrm. Nesbitt **MOVED** to amend the conditions to exclude lots #1, 2, 3, 4, 6 and 9 from the trailer location.

Comm. Hale **SECONDED**.

The motion was approved unanimously by voice vote.

Comm. Smith **MOVED** to amend condition #10 to read:

“All temporary signage shall comply with the City’s sign requirements, and shall be removed when the trailer is removed from the lot. **Any signage for the subdivision shall be on Auburn Folsom Road at the entrance to Cobblestone Subdivision.**”

The public hearing was re-opened.

Margie Belagic, Vintage Oaks resident, asked that the sales trailer be placed so that it is not directly in line with their view.

Robert Belagic, also a resident of Vintage Oaks, also felt that the trailer location should be at the bottom of the proposed

subdivision, near the entrance, to mitigate traffic through the existing subdivision of Vintage Oaks.

Matt Watson, Cobblestone Homes representative, advised that the proposed location of the sales trailer on lot #2 was given a lot of thought by Cobblestone and was selected as it accommodated parking, is located at a somewhat lower elevation, and would be less obtrusive to neighbors on Croman Point. He asked that the Commission consider allowing the sales trailer to remain on the proposed location and that the public be encouraged, with signage, to use Auburn Folsom Road.

Director Wong suggested that the Commission could require that all promotion materials direct the public to enter from Auburn Folsom Road at the subdivision's main entrance and not at the Vintage Oaks subdivision entrance.

The public hearing was again closed.

Comm. Smith agreed to amend his earlier motion to read:

"All signage and promotion material shall direct the public to enter from Auburn Folsom Road at the subdivision's main entrance and not at the Vintage Oaks subdivision entrance".

Comm. Hale **SECONDED**.

The motion was approved unanimously by voice vote.

Comm. Hale noted that an earlier motion restricted the sales trailer from being on lots #1, 2, 3, 4, 6 and 9, and one of the neighbors who spoke stated that would not help at all. She inquired whether the other neighbor who spoke feels the same way, as if he does then that requirement could be eliminated and the trailer could be allowed on lot #2.

Chrm. Nesbitt re-opened the public hearing.

Walt Wismar returned to state that his request was to place the trailer at the entrance and it did not appear that would happen.

The public hearing was closed.

Comm. Hale pointed out that it appeared that the conditions had been amended to something that was not necessary and would require the applicant to go to considerable trouble to relocate the trailer. She **MOVED** to rescind the earlier approved amendment, allowing the trailer to remain on lot #2 as proposed.

Comm. McCord **SECONDED**.

Chrm. Nesbitt agreed that this trailer would have less impact on the existing residents if it were on the lower end of the subdivision, however he also understood that the applicant preferred to have the sales trailer in a location that would capture the view. He would support rescinding the amendment, with trepidation, and he hoped that the signage would work out.

The motion to rescind the amendment was approved by voice vote 3-1, Comm. Smith opposed.

Chrm. Nesbitt **MOVED** to require that a sign be posted at the exit from the sales trailer lot requesting that patrons exit the subdivision through the main entrance, with final wording for the sign subject to the approval of the Community Development Department.

Comm. Hale **SECONDED**.

The motion was approved unanimously by voice vote.

Comm. Hale **MOVED** to find the project Categorically Exempt from the California Environmental Quality Act per Section 15304 and to approve the Use Permit for Cobblestone Sales Trailer – Lot #2 of the Outlook at Indian Hills Subdivision subject to the findings and the conditions listed in Exhibit “A” of the staff report as modified by the Planning Commission.

Comm. McCord **SECONDED**.

AYES:	Hale, McCord, Chrm. Nesbitt
NOES:	Smith
ABSTAIN:	None
ABSENT:	Snyder

The motion was approved 3-1.

The Chairman announced the 10-day appeal period.

D. Civic Design – 12970 Earhart Avenue (Pacific Power Solar Panel Project – Phase II) – File CD 04-3. The applicant requests approval of a Civic Design for two carport structures with integrated solar panels, and one storage structure with associated electric equipment, for the Pacific Power facility at 12970 Earhart Avenue.

James Michaels gave the staff report. The Pacific Power Management Company desires a more energy efficient method for fabricating its products through the use of a solar power system to be constructed at its facility located at 12970 Earhart Avenue. The applicant has obtained approval of a building permit for Phase I, which included the installation of 696 solar panels on the rooftop of the facility's two existing buildings. The solar panels for Phase I have been installed on both buildings and the applicant is requesting Civic Design approval for Phase II, which includes construction of two carports to support 696 additional panels and a storage structure for related electrical equipment. He gave further details on the proposed carports.

The public hearing was opened.

Richard Gleason, construction manager for Pacific Power Management, gave additional information on the proposal.

Mark Frederick, owner of the building and project designer, gave further details on the project.

The public hearing was closed.

The Commissioners all agreed that this was a very positive energy saving project.

Comm. Smith **MOVED** to find the project Categorically Exempt from the California Environmental Quality Act per Section 15303 and to approve the Civic Design for the Pacific Power Solar Panel Project subject to the conditions listed in Exhibit "A".

Comm. McCord **SECONDED**.

AYES: Hale, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: Snyder

The motion was approved 4-0.

The Chairman announced the 10-day appeal period.

**ITEM VI: COMMUNITY DEVELOPMENT DEPARTMENT
FOLLOW-UP REPORTS**

A. City Council Meetings

Director Wong reviewed recent City Council meetings.

B. Future Planning Commission meetings.

Director Wong discussed future meetings.

C. Reports

None.

ITEM VII: PLANNING COMMISSION REPORTS

Chrm. Nesbitt stated he is still concerned about the sidewalk at the corner of Auburn Folsom and Maidu Drive, there are uneven areas where it appears to be hazardous and he believes that with settlement it will become much worse. Director Wong will advise the Public Works Department so that they are aware of this situation before the proposed subdivision at that location has been accepted.

Comm. Smith stated that he is concerned about the lack of landscaping at that corner. Director Wong pointed out that there is no landscape plan requirement for that location.

Comm. Smith noted that it was mentioned at an earlier meeting that the Commission would like to review the tree ordinance and he wanted to know the status of that review. Director Wong advised that his direction from the Planning Commission was to bring to the Commission ideas to expand staff authority for tree permits. He will also be presenting a report on the existing tree ordinance.

ITEM VIII: FUTURE PLANNING COMMISSION AGENDA ITEMS

None.

ITEM IX: ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Janet Elaine Ferro, Administrative Secretary